

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

JASON ANDREW DUNN,

PLAINTIFF

v.

JOHN DEAR, CHARLES HAND, "UNKNOWN WILLIS,
"UNKNOWN" WESTMOORELAND, "UNKNOWN" WALKER,
LINDSEY MEEKS & JOHN DOES 1-4,

DEFENDANTS

ORDER DISMISSING CASE

On consideration of the file and records in this action, a hearing having been conducted by the magistrate judge pursuant to 28 U.S.C. §636(b)(1)(B), Local Rule 72.D and *Spears v. McCotter*, 766 F.2d 179 (5th Cir. 1985), the Court finds that the Report and Recommendation of the United States Magistrate Judge dated August 16, 2006, was on that date duly served by regular mail upon the *pro se* plaintiff; that more than ten days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by any party. The Court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated August 16, 2006, is hereby approved and adopted as the opinion of the Court.
2. That plaintiff's Complaint is hereby **DISMISSED** without prejudice pursuant to FED.R.CIV.P 41(a)(2).

THIS, the 9/5 day of August, 2006.



CHIEF DISTRICT JUDGE